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**UNITED STATES DISTRICT COURT**

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**DISTRICT OF NEVADA**

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FEDERAL TRADE COMMISSION,

Case No. 2:10-CV-02203-MMD-GWF

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Plaintiff,

**ORDER GRANTING  
MOTION FOR ORDER STAYING  
CERTAIN COUNTERCLAIMS IN UTAH  
STATE COURT ACTION**

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v.

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JEREMY JOHNSON, etc., et al.,

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Defendants.

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1 The Receiver's Motion for Order Staying Certain Counterclaims in Utah State Court  
 2 Action ("Motion") regarding certain counterclaims and cross-claims filed by defendants and  
 3 counterclaimants Todd L. Vowell, Kombi Capital, LP, REO Recovery, LLC, Paydirt Capital,  
 4 Inc., and Fishhook Partners, LLC (collectively, the "Vowell Defendants") in the action entitled  
 5 Stephen K. Murdock, et al. v. A. Lee Black, Jr., et al., filed in the Fourth Judicial District Court,  
 6 State of Utah, Utah County, Case No. 110402946 ("Murdock Action") came on before the Court  
 7 for determination. The Court having reviewed and considered the Motion and all pleadings and  
 8 papers filed in support thereof, and having reviewed and considered any opposition or response to  
 9 the Motion, and good cause appearing therefor,

10 IT IS ORDERED that:

11 1. The Motion and the relief sought therein is granted in its entirety;

12 2. Without limiting the generality of the foregoing:

13 A. The following six counterclaims and cross claims asserted by the Vowell  
 14 Defendants in their Answer to Plaintiffs' Complaint, Counterclaim and Crossclaim filed on  
 15 December 15, 2011 in the Murdock Action are hereby stayed and no further action may be taken  
 16 by the Vowell Defendants to seek or obtain judgment or any other relief of any kind, or to seek or  
 17 enforce any pre-judgment or post-judgment liens of any kind related to the six counterclaims and  
 18 cross claims:

19 i. First Claim for Relief – Breach of Contract Against All Plaintiffs, Lee Black and Sole  
 20 Group;

21 ii. Tenth Claim for Relief – Breach of Contract Against Lee Black and Sole Group;

22 iii. Eleventh Claim for Relief – Violation of Utah Securities Act Against Black and Sole  
 23 Group;

24 iv. Twelfth Claim for Relief – Violation of Utah Securities Act – Scheme to Defraud by  
 25 Unlicensed Investment Advisor Against Black and Sole Group;


26 v. Thirteenth Claim for Relief – Guaranty Against Black and Sole Group; and

27 vi. Fourteenth Claim for Relief – Unjust Enrichment Against Black and Sole Group.

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1           3.       The Vowell Defendants are further stayed from taking any action to seek or obtain  
2 judgment or any other relief of any kind, or to seek or enforce any pre-judgment or post-judgment  
3 liens of any kind except as such action relates to the Counterclaims seeking to foreclose on real  
4 property or personal property.  
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8 Dated: September 28, 2012  
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MIRANDA M. DU  
United States District Judge